

4/2/73

UNITED STATES OF AMERICA  
 ATOMIC ENERGY COMMISSION

In the Matter of )  
 )  
 CONSUMERS POWER COMPANY )  
 )  
 (Midland Units 1 and 2) )

Docket Nos. 50-329A, 50-330A

ANSWER OF AEC REGULATORY STAFF TO MOTION FOR ORDER  
 MODIFYING PROCEDURAL SCHEDULE OF CONSUMERS POWER COMPANY

Pursuant to 10 CFR, Part 2, Section 2.730(c) of the Commission's Rules of Practice, the AEC Regulatory Staff (staff) hereby answers the motion of Consumers Power Company (applicant) to modify the procedural schedule for completion of documentary production.

Applicant's motion indicates that it has substantially completed responses to each of the asteristed items as well as several other items. The bulk of the remaining items relate to information requested by the Department of Justice and believed necessary for the development of a record for a finding pursuant to the requirement of Section 105C(5).

According to the applicant, the compiling of this information will take much longer than anticipated and therefore it is requested that the Second Prehearing Conference Order of the Atomic Safety and Licensing Board, dated November 3, 1972, be modified to provide for the completion of documentary production by May 1, 1973. This would, of course, require date changes with respect to the remainder of the time schedule.

The applicant states that time for the production of documents could be reduced if the file search were limited to the central files which would obviate the search for documents from numerous field offices.

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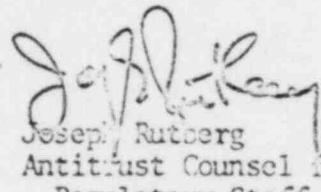
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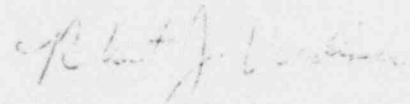
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Since the Department has requested that all files be searched, including field offices, the staff will leave to the Department the determination as to whether it is now believed that such a search may no longer be necessary.

The staff is most concerned that this case move along as expeditiously as possible and to the extent possible would hope that the dates now contemplated by the applicant could be materially shortened; however, the staff, with the caveat expressed above as to the necessity to search field offices, does not object to the motion for modifying procedural schedule.

Respectfully submitted,

  
Joseph Rutberg  
Antitrust Counsel for AEC  
Regulatory Staff

  
Robert J. Verdisco  
Counsel for AEC Regulatory Staff

Dated at Bethesda, Maryland  
this 4th day of January, 1973

UNITED STATES OF AMERICA  
ATOMIC ENERGY COMMISSION

In the Matter of )  
CONSUMERS POWER COMPANY )  
(Midland Plant, Units 1 and 2) )

Docket No. 50-329A  
50-330A

CERTIFICATE OF SERVICE

I hereby certify that copies of ANSWER OF AEC REGULATORY STAFF TO MOTION FOR ORDER MODIFYING PROCEDURAL SCHEDULE OF CONSUMERS POWER COMPANY, dated January 4, 1973, in the above captioned matter have been served on the following by deposit in the United States mail, first class or air mail, this 4th day of January 1973:

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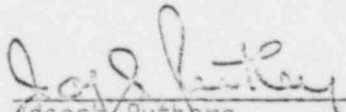
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